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10 Attorneys for Defendant  
11 NISSAN NORTH AMERICA, INC.

12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA  
14

15 GERARDO TORRES and ANGELA  
16 MATLIN, individually, and on behalf of  
a class of similarly situated individuals,

17 Plaintiffs,  
18

19 v.

20 NISSAN NORTH AMERICA, INC.;  
21 and NISSAN MOTOR COMPANY,  
LTD., and DOE 1 through and including  
22 DOE 10,

23 Defendants.  
24

Case No. 2:15-cv-03251

**NOTICE OF PENDENCY OF OTHER  
ACTIONS OR PROCEEDINGS  
PURSUANT TO LOCAL RULE 83-1.4**

Complaint Served: March 31, 2015  
Notice of Removal Filed: April 30, 2015

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Pursuant to Central District of California Local Rule 83-1.4, Defendant  
 3 Nissan North America, Inc. gives notice of the pendency of the following action  
 4 that involves a material part of the subject matter of the civil action brought by  
 5 Plaintiffs:

6 I. Identification of action, title of court and names of parties (L.R. 83-  
 7 1.4.2 (a) (b) and (c)):

8 *Kenai Batista., individually and on behalf of those similarly situated, vs.*  
 9 *Nissan North America, Inc.,* United States District Court for the Southern District  
 10 of Florida, Case No. 14-cv-24728-RNS.

11 II. Identification of counsel (L.R. 83-1.4.2 (d)):

12 A. Plaintiff's Counsel

13 Plaintiff in *Batista* is represented by (1) Ronald Weil and Mary Olszewska  
 14 of Weil, Quaranta McGovern, P.A., 200 S. Biscayne Blvd., Suite 900, Miami,  
 15 Florida 33131, telephone number (305) 372-5352, [ronald@wqmlaw.com](mailto:ronald@wqmlaw.com), mary@  
 16 wqmlaw.com; (2) Richard C. Newsome and William Carl Ourand , Jr. of  
 17 Newsome Melton LLP, 201 S. Orange Ave., Suite 1500, Orlando, Florida 32801-  
 18 3482, telephone number (407) 648-5977, [newsome@newsomelaw.com](mailto:newsome@newsomelaw.com),  
 19 ourand@newsomelaw.com; and (3) F. Jerome Tapley, Hirlye R. "Ryan" Lutz, III,  
 20 and Adam W. Pittman of Cory Watson, P.C., 2131 Magnolia Avenue,  
 21 Birmingham, Alabama 35205, telephone number (205) 328-2200,  
 22 [jtapley@cwcd.com](mailto:jtapley@cwcd.com), [rlutz@cwcd.com](mailto:rlutz@cwcd.com); [apittman@cwcd.com](mailto:apittman@cwcd.com).

23 B. Defendant's Counsel

24 Defendant Nissan North America, Inc. is represented by Ramon A. Abadin of  
 25 Sedgwick LLP, One Biscayne Tower, Suite 1500, Two South Biscayne Blvd.,  
 26 Miami, Florida 33131-1822, telephone number (305) 670-4777,  
 27 [ramon.abadin@sedgwicklaw.com](mailto:ramon.abadin@sedgwicklaw.com); E. Paul Cauley, Jr. and S. Vance Wittie of  
 28 Sedgwick LLP, 1717 Main Street, Suite 5400, Dallas, Texas 75201-7367,

DEFENDANT NISSAN NORTH AMERICA, INC.'S NOTICE OF PENDENCY

1 telephone number 469.227.8200, [paul.cauley@sedgwicklaw.com](mailto:paul.cauley@sedgwicklaw.com),  
2 vance.wittie@sedgwicklaw.com.

3 III. Description of overlapping subject matter (L.R. 83-1.4.2 (e)):

4 In *Batista*, as in *Torres*, Plaintiffs seek to represent current and former  
5 owners and/or lessees of model year 2013-14 Nissan Pathfinders vehicles based on  
6 allegations that the vehicles have a defect in the Continuously Variable  
7 Transmission that can result in shaking, juddering, shuddering, jerking, delayed  
8 acceleration that may damage their transmission, requiring repair or replacement.  
9 The Complaints in both cases assert claims for breach of express warranty, breach  
10 of implied warranty, violation of the Magnuson-Moss Warranty Act, and violations  
11 of state consumer protection laws.

12 DATED: April 30, 2015 SEDGWICK LLP

13  
14 By: \S\ Paul Riehle  
15 Paul Riehle  
16 Attorneys for Defendant  
17 NISSAN NORTH AMERICA, INC.  
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DEFENDANT NISSAN NORTH AMERICA, INC.'S NOTICE OF PENDENCY